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Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN CARLOS HERNANDEZ-ORDONEZ

Defendant.

CASE NO. 3:22-mj-70489-MAG

**~~PROPOSED~~ DETENTION ORDER FOR
DEFENDANT JUAN CARLOS HERNANDEZ-
ORDONEZ**

On April 18, 2022, defendant Juan Carlos Hernandez-Ordonez was charged by Complaint with conspiracy to distribute 40 grams or more of fentanyl, in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B)(vi), and distribution of 40 grams or more of fentanyl, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(B)(vi).

This matter came before the Court on April 28, 2022 for a detention hearing. The defendant was present by Zoom and consented to proceed by videoconference and was represented by Mark Goldrosen. Assistant United States Attorney Lauren Harding appeared for the government. The government moved for detention, and the defendant opposed. Before the hearing, counsel for the United States submitted a

1 memorandum in support of detention. *See* Dkt. 9. At the hearing, counsel for both parties submitted
 2 proffers and arguments regarding detention.

3 Upon consideration of the facts, proffers, and arguments presented, and for the reasons stated on
 4 the record on April 28, 2022, the Court finds by a preponderance of the evidence that no condition or
 5 combination of conditions will reasonably assure the appearance of the person as required. Accordingly,
 6 the defendant must be detained pending trial in this matter.

7 The present order supplements the Court's findings and order at the detention hearing and serves
 8 as written findings of fact and a statement of reasons as required by Title 18, United States Code,
 9 Section 3142(i)(1). As noted on the record, the Court makes the following findings as the bases for its
 10 conclusion:

- 11 - The defendant has minimal connections to the Northern District of California. His primary
 12 connections are his brother (the co-defendant in this action who was detained on April 27,
 13 2022) and a friend he just recently met. Given his minimal ties to the District, he has every
 14 incentive to flee and escape punishment.
- 15 - The defendant faces serious charges carrying significant punishment, creating an incentive to
 16 flee.
- 17 - Location monitoring may be a good way to prevent the defendant from returning to the
 18 Tenderloin, but it is not a good solution to prevent his flight out of this District because he
 19 could take off the monitor.
- 20 - Residing in a halfway house is problematic because it is located in the Tenderloin (where the
 21 defendant is alleged to have committed the charged offenses) and it does not prevent flight
 22 by a person with an incentive to flee.
- 23 - The proposed custodian is someone he only recently met and, as such, her suasion over the
 24 defendant would be limited.

25 These findings are made without prejudice to the defendant's right to seek review of defendant's
 26 detention, or file a motion for reconsideration if circumstances warrant it.

27 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

- 28 1. The defendant be, and hereby is, committed to the custody of the Attorney General for

1 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving
2 sentences or being held in custody pending appeal;

3 2. The defendant be afforded reasonable opportunity for private consultation with counsel;
4 and

5 3. On order of a court of the United States or on request of an attorney for the government,
6 the person in charge of the corrections facility in which the defendant is confined shall deliver the
7 defendant to an authorized United States Marshal for the purpose of any appearance in connection with a
8 court proceeding.

9 IT IS SO ORDERED.

10
11 DATED: April 28, 2022


HONORABLE THOMAS S. HIXSON
United States Magistrate Judge